

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT JAY JACKSON,

Petitioner,

v.

Case No. 2:20-cv-11112
Hon. George Caram Steeh

ROBERT VASHAW,

Respondent.

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**ORDER TRANSFERRING SUCCESSIVE PETITION FOR
WRIT OF HABEAS CORPUS TO THE UNITED STATES
COURT OF APPEALS FOR THE SIXTH CIRCUIT**

Michigan prisoner Robert Jay Jackson, (“Petitioner”), has filed a second federal petition for a writ of habeas corpus challenging his 2002 Saginaw Circuit Court conviction for first-degree murder and several lesser offenses. As a result of his convictions, Petitioner is serving a sentence of mandatory life imprisonment.

Petitioner previously filed a federal habeas petition challenging his Saginaw convictions on eight grounds. The court denied the petition on the merits. *Jackson v. Lafler*, Case No. 06-cv-15676; 2009 U.S. Dist. LEXIS 39574; 2009 WL 1313316 (E.D. Mich. May 11, 2009). The Sixth Circuit affirmed. *Jackson v. Lafler*, 453 F. App’x. 620 (6th Cir. Dec. 21, 2011). Petitioner’s new petition attacks his sentence and the jurisdiction of the trial

court. These claims were not presented in his first federal habeas action.

Federal district courts lack jurisdiction to consider successive habeas petitions absent preauthorization from the court of appeals. *Franklin v. Jenkins*, 839 F.3d 465, 473 (6th Cir. 2016) (citing 28 U.S.C. § 2244(b)(3)); *Felker v. Turpin*, 518 U.S. 651, 664 (1996). When a habeas petitioner files a second or successive habeas petition in the district court without preauthorization, the district court must transfer the case to the court of appeals. See 28 U.S.C. § 1631; *Sims v. Terbush*, 111 F.3d 45, 47 (6th Cir. 1997). Accordingly, the Clerk of the Court shall transfer this case to the United States Court of Appeals for the Sixth Circuit pursuant to 28 U.S.C. § 1631 for a determination of whether Petitioner may file a successive petition.

SO ORDERED.

Dated: May 12, 2020

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on May 12, 2020, by electronic and/or ordinary mail and also on Robert Jay Jackson #421729, St. Louis Correctional Facility 8585 N. Croswell Road, St. Louis, MI 48880.

s/Brianna Sauve
Deputy Clerk